UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/15/Add.23
25 April 1994

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

Sixth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Concluding observations of the Committee on the Rights of the Child: Norway

1. The Committee considered the initial report of Norway (CRC/C/8/Add.7) at its 149th to 151st meetings (CRC/C/SR.149-151), held on 18 and 19 April 1994, and adopted* the following concluding observations:

A. Introduction

2. The Committee expresses its appreciation to the State party for the report, which follows the Committee's guidelines, and for the supplementary information provided on Norway's development assistance policy. It also wishes to express appreciation to the State party for the submission of written replies to its list of issues as well as for the additional information provided during the course of the discussion which enabled the Committee to engage in a frank and constructive dialogue with the representatives of the State party.

B. Positive factors

3. The Committee appreciates the State party's firm commitment to promoting measures for the better implementation of the rights of the child both nationally and internationally. In this connection, it notes that Norway was the first country in the world to establish an ombudsman working for the benefit of children. It also notes the spirit of dialogue existing between the Government, the municipalities and the ombudsman and civil society including the non-governmental community. In addition, the Committee notes

---

* At the 156th meeting, held on 22 April 1994.

the importance the Government attaches to cooperation with these various bodies and organizations in order to assist in assessing the progress achieved, any problems encountered and thus better to determine the strategies needed to address issues as they arise.

4. The Committee also considers as especially noteworthy the fact that Norway is one of the countries most strongly emphasizing the priority of the social sector both within its own development assistance programmes and through its participation in relevant international forums. Likewise, the Committee notes with interest the State party's support to the establishment of the research organization, Childwatch International, and its development of NORDEM which aims to facilitate the offering of national expert assistance on, inter alia, human rights matters, in a spirit of dialogue and cooperation.

5. The Committee welcomes the steps taken by the Government of Norway to review its reservation to the Convention with a view to its withdrawal. It also appreciates the concern expressed by the Government of Norway as to reservations made by any State party which are incompatible with the object and purpose of the Convention as prohibited in the Convention's article 51.

6. Equally, the Committee notes with satisfaction that during this period of economic recession, which is affecting many countries, and the progression towards decentralization of social services, the budgetary resources for child welfare programmes have been increasing in the State party. It also appreciates that a system of monitoring the policies and measures of municipalities with regard to their implementation of children's welfare programmes has been set in place through the County Governor reporting procedure.

7. The Committee takes note of the considerable efforts being made by the State party to combat trends towards intolerance against foreigners and to address the issues of racism and xenophobia, including through the involvement and participation of youth. It also welcomes the active role being taken by the State party in encouraging such approaches to facing these problems within forums at the regional level.

C. Principal subjects of concern

8. The Committee takes note that a Governmental Committee report has proposed to amend the Constitution to include a special provision incorporating certain human rights treaties and that this suggestion does not cover the incorporation of the Convention on the Rights of the Child.

9. The Committee notes that although an opting-out system exists for children wishing to abstain from compulsory religious education, this requires their parents to submit a formal request exposing the faith of the children involved and as such may be felt to be an infringement of their right to privacy.

10. Concerning the right of a child to know his or her origins, the Committee notes the possible contradiction between this provision of the Convention with the policy of the State party in relation to artificial insemination, namely in keeping the identity of sperm donors secret.

11. The Committee is concerned about some aspects of the practical application of the law and policy concerning children seeking asylum, particularly in relation to methods of interviewing children, including unaccompanied minors. Furthermore, it is concerned that the police may not be instructed to delay the expulsion of some members of the family in order to ensure that the whole family remains together and that undue strain on the children is avoided.

12. The Committee notes that all children who have had their asylum requests rejected but remain in the country have had their rights to health care and education provided de facto but not de jure. It is the view of the Committee that such services should be provided as a matter of principle according to the letter and spirit of articles 2 and 3 of the Convention.

D. Suggestions and recommendations

13. The Committee wishes to encourage the State party to take the necessary steps for withdrawing its reservation to the Convention in the very near future and would like to be kept informed of developments on this matter.

14. In case the Government of Norway should decide to amend its Constitution to include a special provision on the incorporation of certain human rights treaties in its Constitution, the Committee would like to encourage the incorporation of a reference to the Convention on the Rights of the Child.

15. The Committee would like to suggest that the State party consider in its legislation the implications of article 37 (a) of the Convention on the Rights of the Child and, in this connection, that it also pays attention to the definition of torture provided for in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to which Norway is also a party.

16. The Committee would like to suggest that the State party consider the possibility of strengthening the role of the Ministry of Children and Family Affairs, in relation to refugee children.

17. As part of the ongoing efforts to promote and protect the rights of the child, the Committee would like to suggest that the State party undertake or encourage research on various matters raised during the discussion, including the reasons for the relatively high number of suicides among young people in Norway and the development and use of indicators to monitor the progress or otherwise of the implementation of all the rights guaranteed under the Convention.

18. The Committee suggests that the particular difficulties facing, for instance, children in single-parent families might also deserve further study.

19. In connection with the State party's ongoing efforts to raise greater awareness of the Convention, the Committee is of the opinion that consideration should be given to incorporating education on the provisions and principles of the Convention in training programmes for various professional groups, including teachers, social workers, law enforcement personnel and judges.

20. The Committee also suggests that appropriate ways and means be used to target further publicity on the Convention, especially about those provisions and principles of the Convention relevant to the situation of particular groups of children, for instance, children in the system of administration of justice and the prevention of discrimination against children suffering from AIDS and HIV infection.

21. The Committee also welcomes the policies being pursued by the State party with regard to the promotion of human rights education, especially in view of General Assembly resolution 48/127 on the possibility of establishing a decade for human rights education, and encourages the State party to consider using this opportunity to promote the incorporation of education about the Convention on the Rights of the Child in curricula for schoolchildren.

22. Equally, the Committee would like to suggest that the State party encourage measures to further involve and facilitate the participation of children in matters affecting them, especially at the local level.

23. The Committee suggests that the State party reconsider its policy on religious education for children in light of the general principle of non-discrimination and the right to privacy.

24. The Committee suggests that the State party consider undertaking another comprehensive review of the policy in relation to children seeking asylum in the light of the principles and provisions of the Convention. In this connection, it is suggested that solutions should also be sought to avoid expulsions causing the separation of families. It also suggests that the State party might wish to further discuss the provision of education and health services, including with respect to all children under its jurisdiction, in order to ensure that different standards of service do not arise between municipalities.

25. The Committee suggests that the State party consider reviewing its juvenile justice system in order to ensure that proceedings against persons under 18 years of age are fully compatible with the spirit of article 40, paragraph 3, of the Convention.

26. The Committee encourages the State party to continue making the substance of the Convention known to all children and adults in Norway and to translate materials relating to the Convention into the languages of major immigrant groups in Norway. It would also like to recommend that the State party prepare, in a special package, the report of the State party to the Committee, the summary records and concluding observations following the discussion in the Committee, as well as the list of issues and the written responses to them, and to make this available on as wide a basis as possible.